

Exhibit A

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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:
LAUREN E. SUMMA, on behalf of herself individually :
and on behalf of all similarly situated employees, :

Plaintiffs, :

v. :

HOFSTRA UNIVERSITY, :

Defendant. :
:
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CV 07-3307 (DRH) (ARL)

**NOTICE OF LAWSUIT SEEKING MINIMUM WAGE AND OVERTIME
COMPENSATION**

TO: Present and former Hofstra University (hereinafter "Hofstra") Undergraduate or Graduate Assistants from January 29, 2005 through the present who did not receive the prevailing minimum wage and/or overtime compensation.

RE: Federal Fair Labor Standards Act Lawsuit Filed Against Hofstra University Seeking Minimum Wage and Overtime Compensation.

1. INTRODUCTION

The purpose of this Notice is to inform you of the existence of and your right to join in a collective action lawsuit filed against Hofstra seeking minimum wage and overtime compensation, to advise you of your rights regarding this lawsuit and how they may be affected, and to instruct you of the procedure for participating in this suit should you choose to do so.

2. DESCRIPTION OF THE LAWSUIT

On or about August 9, 2007, Plaintiff Lauren E. Summa (hereinafter "Plaintiff" or "Lauren Summa"), filed a Complaint on behalf of herself and a putative class of students in the United States District Court for the Eastern District of New York against Hofstra. Plaintiff alleged Hofstra violated the Fair Labor Standards Act ("FLSA") by failing to pay Undergraduate and Graduate Assistants overtime and the prevailing minimum wage when they were working for Hofstra. Specifically, Plaintiff alleged that Hofstra failed to pay certain Undergraduate and Graduate Assistants the federal minimum wage and time and one-half their regular rate of pay for all hours worked in excess of 40 hours in any given week, and that this conduct violated the requirements of the FLSA. Specific instances of unlawful conduct alleged by Plaintiff include the payment of sub-minimum wage single payment stipends and failure to compensate student

employees for working hours in excess of 40 hours in a week between two on-campus jobs. The Complaint further alleged that Hofstra's alleged violations of federal law were willful and intentional and seeks to recover money damages equal to double any unpaid wages or overtime compensation owed by Hofstra, plus attorneys' fees and the costs of this suit.

Hofstra denies that it has violated the FLSA or that it has in any way improperly failed to pay its Undergraduate or Graduate Assistants, and responds that Plaintiff, the opt-ins and all other Undergraduate and Graduate Assistants were properly compensated.

3. YOUR RIGHT TO PARTICIPATE IN THIS ACTION

You have been identified as an individual who is or was employed as an Undergraduate or Graduate Assistant from January 29, 2005 to the present, and therefore may be eligible to assert a claim if you did not receive the prevailing minimum wage and/or overtime compensation. You may join in this lawsuit as a party Plaintiff by following the instructions herein.

The decision about whether to participate in this lawsuit is completely voluntary and is yours alone. You are not required to join in this lawsuit or to take any action unless you want to. If you believe you were underpaid but are not certain, please contact Douglas H. Wigdor using the contact information listed below to assess your eligibility before submitting your consent to join the lawsuit.

4. PROTECTION AGAINST RETALIATION

Federal law, as well as Hofstra policy, prohibits Hofstra from retaliating or discriminating against you in any way if you choose to take part in this lawsuit.

5. HOW TO JOIN IN THIS LAWSUIT

Also enclosed with this Notice is (1) a form entitled Notice of Consent, and (2) a postage paid envelope addressed to the attorneys who are representing Plaintiff, who will file it with the Court on your behalf. If you decide to join in this lawsuit, you must complete and sign the Notice of Consent form and mail it to:

Thompson Wigdor & Gilly LLP
85 Fifth Avenue, Fifth Floor
New York, New York 10003
ATTN: Douglas H. Wigdor

It must be postmarked by the United States Postal Service on or before [90 DAYS FROM THE DATE THE NOTICE IS MAILED TO POTENTIAL MEMBERS OF THE CLASS]. If your completed Notice of Consent is not postmarked on or before that date, you will not be allowed to join in this case.

If you choose to use other counsel, your Notice of Consent must be filed directly with the Clerk of the Court, United States District Court, Eastern District of New York, Long Island Courthouse, 100 Federal Plaza, Central Islip, New York 11722 and must be postmarked on or

before **[90 DAYS FROM THE DATE THE NOTICE IS MAILED TO POTENTIAL MEMBERS OF THE CLASS]**.

The Notice of Consent form shall become effective only when it is filed with the Court.

6. THE IMPORTANCE OF DECIDING PROMPTLY

The statute of limitations limits a person's rights to recover unpaid overtime compensation to no more than the three-year period preceding the date on which the Notice of Consent is filed with the Court. Due to legal issues currently pending before the Court, the period covering this notice has been extended to January 29, 2005.

Therefore, because the passage of time may result in part or all of your claim being barred by the statute of limitations, if you wish to participate in the lawsuit, it is important that you date, sign and mail the attached Consent Form on or before [90 DAYS FROM THE DATE THE NOTICE IS MAILED TO POTENTIAL MEMBERS OF THE CLASS].

7. THE LEGAL EFFECT OF JOINING OR NOT JOINING THIS LAWSUIT

If you **do** choose to join in this lawsuit by sending in the attached consent form, and if the Plaintiff wins, you may be entitled to receive unpaid wages and/or overtime compensation if you demonstrate you earned unpaid wages and/or overtime and have not received them. In addition, you will be bound by any Judgment entered by the Court, whether it is favorable or unfavorable to the Plaintiff. While this suit is proceeding, you may be required to respond under oath to written questions, or to provide testimony in a deposition, or in court.

If you **do not** join in this lawsuit, you will not be bound by or receive the benefit of any judgment or settlement in this case. If you so choose, you may bring your own claim and hire your own attorney to represent you.

Regardless of whether the Plaintiff wins the case, if you use Thompson Wigdor & Gilly as your attorneys, you will not be required to pay attorneys' fees. The attorneys for the Plaintiff and the class are being paid on a contingency fee basis, which means that if the Plaintiff prevails in this litigation, they will request that the Court either determine or approve the amount of attorneys' fees that they are entitled to receive for their services. If Plaintiff is not successful, there will be no attorneys' fees. In no event will you be individually responsible to pay any attorneys' fees of the litigation. However, if you have elected to join this lawsuit and Plaintiff does not prevail, you may be responsible for your pro-rated share of the litigation expenses.

If you file a Consent Form, you are agreeing to designate Lauren Summa as your agent to make decisions on your behalf concerning this lawsuit, the method and manner of conducting this lawsuit, the entering of an agreement with Plaintiff's counsel concerning attorneys' fees and costs, and all other matters pertaining to this lawsuit. These decisions and agreements made and entered into by Lauren Summa will be binding on you if you join this lawsuit.

8. FOR MORE INFORMATION CONTACT PLAINTIFF'S ATTORNEYS

If you have any questions about your rights concerning this lawsuit, you should contact the Plaintiff's attorneys – whose contact information appears below.

Thompson Wigdor & Gilly LLP
85 Fifth Avenue, Fifth Floor
New York, New York 10003
Tel.: 1-212-257-6800
Fax: 1-212-257-6845
Web: www.twglaw.com
Contact: Douglas H. Wigdor
E-Mail: dwigdor@twglaw.com

9. NO OPINION EXPRESSED AS TO THE MERITS OF THE CASE

This Notice is issued for the sole purpose of determining the identities of those who wish to participate in this case. Although the Court has authorized the issuance of this Notice, the Court has at this time made no determination as to the merits of the claims and defenses of each party.

PLEASE DO NOT CALL OR WRITE TO THE COURT OR THE CLERK'S OFFICE FOR INFORMATION. THE COURT CANNOT ANSWER ANY QUESTIONS ABOUT THIS LAWSUIT OR NOTICE.

Arlene R. Lindsay
United States Magistrate Judge

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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and on behalf of all similarly situated employees,	:
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Plaintiffs,	: CV 07-3307 (DRH) (ARL)
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v.	:
	:
HOFSTRA UNIVERSITY,	:
	:
Defendant.	:
	:
-----X	

NOTICE OF CONSENT

I hereby consent to join as a party plaintiff in the above-names case seeking damages and other relief that may be appropriate against Hofstra University for its alleged violations of the Fair Labor Standards Act.

I understand that by filing this Notice of Consent, I will be bound by the judgment of the Court on all issues in this case, whether favorable to me or not.

Name: _____

Address: _____

Telephone: _____

Signature: _____

Date: _____